IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 23054 of 2004

Between:

St.Mary's Vidyalayam Education Society,

Rep.by its President Sri K.Dorai Swamy, S/o.Isaiah
aged about 61 years, R/o.H.No.1-4-165 Rajendranagar,

New Town, Mahabubnagar.

..... PETITIONER

AND

1. The Government of Andhra Pradesh,

Rep.By its Principal Secretary to Government,

School Education Department, Secretariat buildings,

Hyderabad.

2. The Chairman, State level standing Committee,

Commissioner and director of the School Education,

Government of A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly a writ in the nature of Mandamus declaring the action of the respondents for not issuing NO OBJECTION CERTIFICATE to the petitioner society is illegal and arbitrary and consequently direct the 1st respondent to issue NO OBJECDTION CERTIFICATE for establishment of college education at Mahaboobnagar district.

Counsel for the Petitioner: Mr.S. GIRMOJI RAO

Counsel for the Respondents: G.P. for School Education

The Court made the following:

ORDER:

This writ petition has been filed by the St.Mary's Vidyalayam Education Society, represented by its President

Sri K. Dorai Swamy, assailing the inaction of the 2nd respondent, Chairman, State Level Standing Committee, Commissioner and Director of School Education, in passing necessary orders on the application seeking 'No Objection Certificate' for establishing a new B.Ed., College.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for the School Education.

The President of the petitioner's Society filed an affidavit in support of the writ petition stating that an application seeking for No Objection Certificate has been sent on 23-09-2004 and no action has been taken by the 2nd respondent and thus he approached this Court by invoking the jurisdiction under Article 226 of the Constitution of India.

Since the application dated 23-09-2004 filed by the petitioner's Society is

pending with the 2nd respondent,

I deem it appropriate to dispose of the writ petition directing

the 2nd respondent to consider the application and pass appropriate orders within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

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B. SESHASAYANA REDDY, J

Dated: 21-07-2005

Note: Furnish C.C. in a week.

B/o.

LSK

To

1. The Principal Secretary, Government of Andhra Pradesh,

School Education Department, Secretariat buildings,

Hyderabad.

2. The Chairman, State level standing Committee,

Commissioner and director of the School Education,

Government of A.P., Hyderabad.

3 Two C.Cs. to the Government Pleader for School Education, High Court buildings, Hyderabad. (OUT)

4 Two C.D. copies.